

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

George Davis,

Plaintiff,

v.

Case No. 13-11780
Honorable Sean F. Cox

Tom Birkett, *et al.*,

Defendants.

ORDER

ACCEPTING AND ADOPTING REPORT & RECOMMENDATION

Plaintiff filed this *pro se* civil rights action, pursuant to 42 U.S.C. § 1983, asserting claims against multiple defendants. Plaintiff filed a motion to proceed *in forma pauperis*, which was granted on June 12, 2013. Thereafter, the matter was referred to Magistrate Judge Mona Majzoub for all pretrial proceedings.

On August 20, 2013, Defendants Erick Balcarcel, Cynthia Johnson, Joel Parks, Jason Masar, and Dana Edwards filed a Motion for Summary Judgment. Plaintiff did not file any response to the motion, even after Magistrate Judge Majzoub ordered Plaintiff to respond to the motion.

In a Report and Recommendation (“R&R”) filed on February 4, 2014, Magistrate Judge Majzoub recommends that the pending Motion for Summary Judgment be granted. She further recommends that Plaintiff’s claims against the remaining Defendants be dismissed, pursuant to 28 U.S.C. §§ 1915(e)(2) and 1915A.

Pursuant to FED. R. CIV. P. 72(b), a party objecting to the recommended disposition of a matter by a Magistrate Judge must file objections to the R&R within fourteen (14) days after being served with a copy of the R&R. “The district judge to whom the case is assigned shall make a *de novo* determination upon the record, or after additional evidence, of any portion of the magistrate judge’s disposition to which specific written objection has been made.” *Id.*

The time for filing objections to the R&R has expired and the docket reflects that no party has filed objections to the R&R.

The Court hereby ADOPTS the February 4, 2014 R&R. IT IS ORDERED that the pending Motion for Summary Judgment is GRANTED and Plaintiff’s claims against Defendants Balcarcel, Johnson, Parks, Masar, and Edwards are DISMISSED WITH PREJUDICE.

IT IS FURTHER ORDERED that, pursuant to 28 U.S.C. §§ 1915(e)(2) and 1915A, Plaintiff’s claims against the remaining Defendants (Defendants Birkett, Kohlof, and Merry) are DISMISSED WITH PREJUDICE.

IT IS SO ORDERED.

S/Sean F. Cox
Sean F. Cox
United States District Judge

Dated: February 26, 2014

I hereby certify that a copy of the foregoing document was served upon counsel of record on February 26, 2014, by electronic and/or ordinary mail.

S/Jennifer McCoy
Case Manager